

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ROBERT M. BRY,

Plaintiff,

v.

CITY OF FRONTENAC, et al.,

Defendants.

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No. 4:14-CV-1501 RLW

MEMORANDUM AND ORDER

This matter is before the court on Defendants' Motion for Contempt and Writ for Body Attachment for Sheila Hoffman ("Motion to Compel"; ECF No. 68).

Plaintiff Robert Bry filed this lawsuit, alleging violations of his constitutional rights, false arrest, and malicious prosecution based upon his September 13, 2013 arrest and subsequent prosecution. Sheila Hoffman is a neighbor of Plaintiff and executed an affidavit in support of his claims. *See* ECF No. 46-1. She is also mentioned as a witness in the police report. *See* ECF No. 67-1 at 14.

On August 19, 2015, a subpoena duces tecum was served to fact witness Sheila Hoffman at her residence. The subpoena duces tecum commanded her to appear with any relevant documents for a deposition at 100 South Fourth Street, Saint Louis, Missouri 63102 on August 28, 2015. (ECF No. 68 at 1). Sheila Hoffman did not appear for her deposition on August 28, 2015. (ECF No. 68-1). Defendants ask this Court to issue a writ of body attachment and to set a cash bond to guarantee attendance when the deposition is next scheduled. (ECF No. 68).

The Court hereby orders Sheila Hoffman to personally appear before this Court and the Honorable Ronnie L. White, U.S. District Court for the Eastern District of Missouri, on

September 10, 2015 at 11:00 a.m. in Courtroom 10S for a hearing on Defendants' Motion for Contempt and Writ for Body Attachment for Sheila Hoffman and to schedule a date and time certain when Ms. Hoffman will be ordered to appear for her deposition in this case.

The Court directs the Clerk of this Court to send, via UPS, a copy of this Order and Defendants' Motion for Contempt and Writ for Body Attachment to Sheila Hoffman at 10356 Conway Road, Saint Louis, Missouri 63131.

Dated this 2nd day of September, 2015.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE